IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

CRP.No. 1110 of 2004

(EP. 412 /2002 IN OS.139/1979 of MUNSIFF COURT, OTTAPPALAM)

REVN. PETITIONERS/RESPONDENTS NOS.1,4 AND 7, 9 AND 10:

1. FATHIMA, W/O. LATE ALAVI HAJI.
2. PATHUMMA.
3. KHADEEJA UMMA.
4. VEERAN.
5. MAMMUNNY.

(REVISION PETITIONERS NO.2 TO 5 ARE THE CHILDREN OF LATE ALAVI HAJI. REVISION PETITIONERS ARE NOW RESIDING AT CHOLAYIL HOUSE, KOTHAKKURUSSI AMSOM, PAVUKKONAM DESOM,PAVUKKONAM (P.O), OTTAPALAM TALUK)

BY ADV. SRI.SANTHEEP ANKARATH

RESPONDENTS/PETITIONER AND RESPONDENT NOS.2, 3, 5, 6, 8 AND II:

1. SREEDHARAN, S/O. PONNAN,
   VETIKKATTUTHODIYIL HOUSE, PAVUKKONAM DESOM,
   KOTHAKKURUSSI AMSOM, PAVUKKONAM (POST), OTTAPALAM TALUK.
2. UMMACHU.
3. KUNJIRUMMA.
4. THITHUNNI.
5. MOITHEEN.
6. NABEESA.
7. HANEEFA.

(RESPONDENTS NO.2 TO 7 ARE THE CHILDREN OF LATE ALAVI HAJI. RESPONDENTS NO.2 TO 7 ARE NOW RESIDING AT CHOLAYIL HOUSE, KOTHAKKURUSSI AMSOM, PAVUKKONAM DESOM, PAVUKKONAM (P.O), OTTAPALAM TALUK)

BY ADV. SRI.KRISHNA PRASAD. S
SRI.D.KRISHNA PRASAD
SRI.D.NARENDRANATH
SRI.M.HARISHARMA
SRI.T.P.ELDHOSE

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON I.A.NO.2698 OF 2004 IN C.R.P.NO. 1110 OF 2004

DISMISSED.

14.12.2007 SD/- K.T. SANKARAN, JUDGE.

/TRUE COPY/

P.A. TO JUDGE.

K.T. SANKARAN, J.

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C.R.P. No. 1110 OF 2004

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Dated this the 14th December, 2007

O R D E R

The challenge in this Revision is against the order dated 5th August, 2004 in E.P.No.412 of 2002 in O.S.No. 139 of 1979 on the file of the court of the Munsiff, Ottappalam. By the impugned order, the court below held that the Execution Petition is maintainable and that it will be proceeded with for realisation of the amounts due. There is no case for the revision petitioners that the amounts are not due. Though the revision petitioners have filed an appeal against the decree, the appellate court has not granted any stay. Therefore, no interference is called for in the order.

2. The learned counsel for the revisions petitioners submits that the petitioners may be granted a short time to pay off the decree amount. In the facts and circumstances, two months' time is granted to pay off the decree amount.

The Civil Revision Petition is disposed of as above.

K.T. SANKARAN,
JUDGE.

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